

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12976, of St. Paul's English Lutheran Church, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.42 to use part of the first floor and all of the second floor as a Montessori Primary and Elementary School in the R-1-B District at the premises 3600 Everett Street, N.W. (Square 1983, Lot 64).

HEARING DATE: June 20, 1979

DECISION DATE: July 11, 1979

FINDINGS OF FACT:

1. The subject property is located at the intersection of 36th and Everett Streets, N.W., and is known as 3600 Everett Street, N.W. It is in an R-1-B District.
 2. The surrounding uses are mostly large, detached R-1-B type single family dwellings.
 3. The subject lot is improved with a large church known as St. Paul's English Lutheran Church.
 4. The Education Wing of St. Paul's English Lutheran Church is presently used by the church for its religious education services which are held on Sunday. Two of the ground level rooms are also used for a Nursery School operated by the Church.
 5. By BZA Order No. 12746, the Board granted permission for one year to use part of the first floor and all of the second floor of St. Paul's English Lutheran Church as a Montessori Primary and Elementary School.
 6. The applicant proposes to continue operation of the Mater Amcris Montessori School.
 7. The school is operated by the Montessori Society of Chevy Chase, Inc., a non-profit corporation in the District of Columbia. The school consists of both pre-school and elementary classes having an enrollment of approximately 100 students with fifty-five of those being in the pre-school level. The number of students will not be increased.
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8. The school operates five days a week between the hours of 8:00 a.m. and 4:00 p.m., September through June.

9. Approximately seventy-five per cent of the student body resides in the District of Columbia with forty-five percent of those residing in the immediate neighborhood. The remaining students either walk to school, use the bus or arrive and depart by car pool.

10. The applicant continues to provide sufficient play area for the children. There is approximately 3250 square feet of play area inside the building and approximately 2700 square feet of play area outside the building on Ellicott Street to accommodate the needs of the pre-school children. Public park facilities in the immediate neighborhood will continue to be used.

11. There are nine off-street parking spaces available on the church property which are accessible from the alley off Everett Street.

12. The school van is parked on private property. The children will be loaded and discharged from the van on to private property, thus avoiding traffic congestion on the street.

13. The Single Member District 6 of Advisory Neighborhood Commission 3F, by letter dated June 19, 1979, recommended that the application be granted on the grounds that there has been full compliance with the conditions of the previous Order that nearby parks have remained intact, and that the traffic and parking plans have functioned well as safeguards against further traffic congestions in the neighborhood. The Board so finds.

14. Five letters of support were submitted to the file. One petition, signed by nine residents whose properties abut the alley supported the application on the condition that the previous condition, no discharge or pick-up of students from the alley, be reinstated.

15. There was no opposition to the application.

CONCLUSIONS OF LAW:

Based on the record, the Board concludes that the applicant has satisfied the requirements for a special exception under Paragraph 3101.42 in that the school is so located that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions.

The Board also concludes that the applicant was in full compliance with the previous Order of the Board and notes that there was no opposition. The Board concludes that the school has demonstrated the ability to exist in the neighborhood without adverse effect.


The Board further concludes that the use will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property. Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the following CONDITIONS:

- a. Approval shall be for the Mater Amoris Montessori School only.
- b. There shall be a maximum of 100 students enrolled at the school, of which there shall be a maximum of fifty-five pre-school or kindergarten students.
- c. There shall be no discharging or pick-up of students from the School from the alley at the rear of the property.
- d. All play activity, either on or off the subject property, shall be supervised.

VOTE: 4-0 (Charles R. Norris, Chloethiel Woodard Smith, Leonard L. McCants to GRANT; William F. McIntosh to GRANT by PROXY; Walter B. Lewis not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 5 SEP 1979

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.